

Message Text

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E.O. 11652: GDS
TAGS: CVIS CSCE SHUM PL US
SUBJ: FREEDOM OF MOVEMENT: DIVIDED FAMILIES AND VISA QUESTIONS

REF: STATE 89738

1. I RAISED DIVIDED FAMILIES AND VISA DENIALS IN A CALL ON VICE MINISTER CZYREK APRIL 11. REVIEWING US-POLISH RELATIONS AT HIS REQUEST, I SAID THE MAIN SOURCE OF FRICTION BETWEEN THE TWO GOVERNMENTS WAS THE DIVIDED FAMILIES QUESTION. RECALLING THE HIGH LEVEL US INTEREST THAT HAD BEEN REPEATEDLY CONVEYED TO THE POLES REGARDING THIS ISSUE, AND WHICH HAD BEEN REITERATED TO ME BY SECRETARY VANCE JUST BEFORE MY DEPARTURE FOR POLAND, I SAID THE GOP SHOULD NOT UNDERESTIMATE CONGRESSIONAL AND PUBLIC INTEREST AS WELL.

2. FIRST OF ALL, I SAID, WE WERE ESPECIALLY CONCERNED ABOUT THE THREE SPECIFIC CASES SECRETARY VANCE HAD RAISED WITH FOREIGN MINISTER WOJTASZEK DURING THE PRESIDENT'S VISIT TO POLAND: KOTLARZ, STROJEK, AND BIEGUNSKI. SECOND, WE WERE CONCERNED ABOUT ALL THE OTHER UNRESOLVED DIVIDED FAMILY CASES REGARDING WHICH THE EMBASSY HAD INFORMED THE MINISTRY. THIRD, WE HAD NOTED A NUMBER OF CASES OF DENIAL OF VISAS TO US CITIZENS WISHING TO VISIT THEIR FAMILIES IN POLAND. IN OUR VIEW, APPLICATIONS FOR SUCH VISITS SHOULD BE CONSIDERED FAVORABLY, IN KEEPING WITH HELSINKI FINAL
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ACT PRINCIPLES, PARTICULARLY THOSE RELATING TO TEMPORARY RE-UNIFICATION OF FAMILIES AND FREEDOM TO TRAVEL BETWEEN SIGNATURE COUNTRIES. I ADDED THAT WE HAD OBSERVED THAT A HIGH PERCENTAGE OF THE REJECTED APPLICATIONS FOR POLISH VISAS HAD COME FROM PERSONS WITH JEWISH BACKGROUND.

3. CZYREK SAID THE FACT THAT SECRETARY VANCE HAD RAISED ONLY

THREE DIVIDED FAMILY CASES ACTUALLY SHOWED AN OVERALL ABSENCE OF US-POLISH DIFFICULTIES OVER THE ISSUE WHICH, HE SAID, IN FACT WAS AN INSIGNIFICANT ONE. THE GOP ASKED THE USG TO VIEW THESE CASES IN PROPORTION, TAKING INTO ACCOUNT THE MANIFOLD CONTACTS AND RELATIONSHIPS BETWEEN THE TWO COUNTRIES AND PEOPLES. IN ANY EVENT, HE CONTINUED, THE POLISH SIDE WAS "HONESTLY STRIVING" TO SOLVE THE THREE CASES, AND HE THOUGHT THAT PROGRESS HAD BEEN MADE. MRS. KOTLARZ WAS FREE TO LEAVE POLAND IF SHE TOOK HER HUSBAND WITH HER, AS WAS MR. BIEGUNSKI AS SOON AS HE SOLVED HIS FAMILY SUPPORT PROBLEMS. (CZYREK SAID NOTHING ABOUT STROJEK).

4. REGARDING THE VISA DENIALS, CZYREK SAID THE POLISH AUTHORITIES LOOKED ON ALL US CITIZENS AS US CITIZENS, WITHOUT FURTHER DISTINCTION. "AS CATEGORICALLY AS I CAN," HE REJECTED ANY IMPLICATION THAT POLAND'S VISA POLICY WAS GUIDED BY CRITERIA OF "NATIONAL ORIGIN." HE NOTED THAT ISSUANCE OR DENIAL OF A VISA WAS A PREROGATIVE OF SOVEREIGNTY, ADDING THAT THERE WAS NO "INTERNATIONAL REQUIREMENT" THAT ONE PARTY EXPLAIN ITS MOTIVATION TO ANOTHER PARTY IN CASE OF DENIAL. IF IN A VERY FEW SUCH CASES THERE WERE DIFFERENCES OF VIEW BETWEEN THE GOVERNMENTS, CZYREK CONCLUDED, IT WOULD BE "INCORRECT" TO MAKE THIS A CRITERION FOR THE ENTIRE US-POLISH RELATIONSHIP IN TERMS OF HUMAN CONTACTS.

5. DUE TO OTHER MEETINGS BOTH CZYREK AND I HAD SCHEDULED, THERE WAS INSUFFICIENT TIME TO PURSUE OBVIOUS INCONSISTENCIES IN CZYREK'S REPLY TO MY COMMENTS. HOWEVER, PICKING UP HIS REFERENCE TO VIEW
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US-POLISH RELATIONSHIP IN COMPREHENSIVE TERMS, I AGREED, ADDING THAT NO SINGLE ELEMENT CAN BE VIEWED IN ISOLATION FROM OTHERS.
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